



Please type a plus sign (+) inside this box → ☐

HDP/SB/21 based on PTO/SB/21 (08-00)

*DAE/IFW*  
\$

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/674,615
Filing Date	September 30, 2003
First Named Inventor	Terry L. Schneider
Group Art Unit	1772
Examiner Name	Dixon
Attorney Docket Number	7784-000553/CPA

Total Number of Pages in This Submission

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Petition for Revival of Unavoidably Abandoned Application; Reply and postcard</b>
<b>Remarks</b>		<b>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.</b>

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

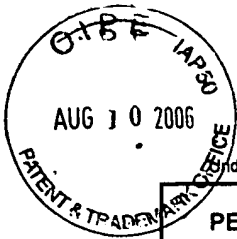
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Mark D. Elchuk	Reg. No.	33,686
Signature	<i>Mark D. Elchuk</i>				
Date	August 10, 2006				

### CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope addressed to: Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

Typed or printed name	Mark D. Elchuk	Express Mail Label No.	EV 855 009 672 US (8/10/2006)
Signature	<i>Mark D. Elchuk</i>	Date	August 10, 2006

EV 855 009 672 US

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)**Docket Number (Optional)  
7784-000553CPA

First named inventor: Schneider

Art Unit: 1774

Application Number: 10/674,615

Examiner: Dixon

Filed: September 30, 2003

Title: POLYMER COMPOSITE STRUCTURE REINFORCED WITH SHAPE MEMORY ALLOY AND METHOD OF  
MANUFACTURING SAMEAttention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450NOTE: If information or assistance is needed in completing this form, please contact  
Petitions Information at (571)272-3282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the  
Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the  
Office notice or action plus any extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June  
8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay

**1. Petition fee**

- ☐ Small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(l)). Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 500 (37 CFR 1.17(l)).

**2. Reply and/or fee****A. The reply and/or fee to the above-noted Office action in the form of**

\_\_\_\_\_ (identify the type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

**B. The issue fee of \$ 500**

- ☐ has been paid previously on \_\_\_\_\_
- ☒ is enclosed herewith.

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file  
(and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is  
estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will  
vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing  
this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450,  
Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition,  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)****3. Terminal disclaimer with disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period time of time is enclosed herewith (see PTO/SB/63).

**4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.****WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents files in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/application is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

  
Signature

Mark D. Elchuk

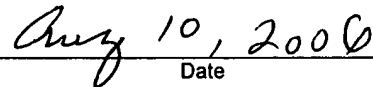
Typed or Printed Name

Harness, Dickey &amp; Pierce, PLC

Address

P.O. Box 828, Bloomfield Hills, MI 48303

Address

  
Date

33,686

Registration Number, if applicable

248-641-1600

Telephone Number

- Enclosures: ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unavoidable delay
- ☐ \_\_\_\_\_

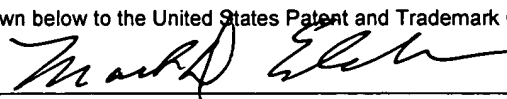
**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is being:

- ☒ Deposited with the United States Postal Service as Express Mail EV 855 009 672 US (8/10/2006) on the date shown below with sufficient postage as Express mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
- ☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

August 10, 2006

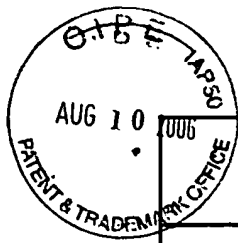
Date

  
Signature

Mark D. Elchuk

Mark D. Elchuk

Typed or printed name of person signing certificate



PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

Signature

8/10/06

Date

Mark D. Elchuk

Typed or printed name

33,686

Registration Number, if applicable

On Sept. 24, 2004 an RCE was filed by the undersigned together with a supplemental Information Disclosure Statement.

The USPTO PAIR system indicates that an office action was mailed by the USPTO on Nov. 30, 2004. No such office action was ever received by the undersigned. The undersigned has also checked with the docket department of Harness, Dickey & Pierce, PLC ("HDP"), and has confirmed that no record exists of HDP ever having received this office action.

The USPTO PAIR system also indicates that a notice of abandonment was mailed on June 29, 2005. However, the undersigned never received any such notice, and the HDP docketing department has confirmed that no record exists of such a communication ever having been received by HDP.

In view of the foregoing, it is respectfully requested that the present application be revived because of unavoidable abandonment.

PTO/SB/61 (07-06)  
Approved for use through 09/30/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE